

A Defence of Paul Bassano the surviving Patentee, for the Importation of Fresh Salmones and Lobsters, &c. by a new Invention, which hee most humbly submitteth to this Honorable house of Parliament.

That the
Invention is
New.

1. **I**T is a new Invention amongst the English heere, to bring Lobsters aliue in Ships by Sea from forraigne Seas, and streames; although the Dutchmen who are Forrainers can doe the same. And howsoever he a little before the Patent did sell some Lobsters to the Fishmongers here, yet did not they know the secret of his Inuentio how they were taken, how preserved & fed, and the Art how they were brought; for euery Wel-Boate will not bring them, nor is there yet any Shipwright in England that knowes how to make a Well for that purpose without particuler instruction. Nor did euer the Fishmongers, or any other before the Patent, bring any Lobsters by this or any other Invention aliue, by Sea from any forraigne parts. So there is no question of the newnesse of the Invention: but whether it be the only Invention of the Patentees, or of the Stranger. And who ought in our Common-weale to bee preferred, they or wee. But the now opposers did neuer buy of the Stranger, nor bring any Lobsters by Sea, by this or any other Invention, before the Patent.

The benefit
therof to the
Common-
wealth.

2. That the Flemming was the first Inuentor of bringing Lobsters aliue by Sea wee deny not: but that hee was the Inuentor of those thinges for our good wee deny. And contrariwise affirme, that by the Authority of this Patent, wee haue turned this Invention which they deuised for their good, to the good of our Common-wealth. For when the Patentees vpon their owne aduenture had imployed Ships to Sea, and from remote Coasts had brought Lobsters by English-men to London, by the secret of this new Invention: 1. Then did they inuent how to preuent the extreame exaction wherewith the Dutch-men circumvented and brought the English into thraldome. 2. How also to preuent and suppress the exaction, which those few Fishmongers (who bought the Commodity of the Dutch) did make vpon the Company of Fishmongers, and so consequently vpon the Subiect. 3. How to make the Dutchman a Seruant, who before was a Master, and to keepe him within the compasse of reasonable gaine, that our Nation might haue the better penyworth. 4. How to haue the commodity solde Cheaper, without any exaction vpon aduantage of scarcity. 5. How to bring them more certainly then they were before. 6. In more continued Plenty. 7. And better conditioned, and preserved in reputation good and Marchantable, which before was oftentimes bad and naught, euen to the loathing of the same, and the Subiect defrauded and couened. 8. How the eater thereof becomes more content. 9. How to raise the little benefite that is gotten (in respect of the good which ariseth) out of the Strangers purse, not our Countrymens, and yet our Nation to reape a settled benefite hereby. 10. How to preserve (at our charge) our Bullion and Coyne in our Kingdome, which was, and otherwise would bee subiect to bee embazeled by the Dutchman; Two or three thousand pounds in a yeare, being disbursed to them for this commodity. 11. How to encrease our Nauigation and Nauigators, and to weede out the Dutchmen by degrees, as by encouragement of gayne wee can strengthen our owne Nation, (knowing the secret of this Invention now as well as they) or at the least to make the other our Seruant at a more reasonable price, then wee can possibly effect the same. 12. Wherein none are restrained that had a benefite before. 13. The retayler hath more gayne, and the buyer better content. 14. Former partiality is auoyded, and the commodity is distributed equally to the Company of Fishmongers, as well poore as rich. 15. The Patentees haue beene at more charges, for the good of the Common-weale to bring these thinges to passe, then yet they haue receiued. 16. And the opposers are few; but there is a generall assent that this Patent may stand.

So as in conclusion, all things are carried in an euen ballance, whereby all parties receiue encouragement in their labours; and this Common-weale the benefit, since this Pattennt was graunted, which by no other meanes can be effected. And this Pattennt as it hath been gouerned, hath procured a commodity to this Common-weale and no discommodity; but if any be, it is to the Stranger whose exaction is preuented, and not to vs. And yet though he doth not attaine to the height of his expectation, he rests contented, because he hath no better remedy, so long as this Pattennt is in force, and dayly makes sure to be imployed.

And herein the Patentees doe not stand alone to iustifie themselves, but the Master and Company of Fishmongers vsing the Trade, doe generally affirme and know the same: onely some few contradiclers, who (wanting experience, or for other priuate respects) doe oppose the same. Neither can the opposers denie it, were they particularly examined and deposed to the questions aboue-said. This Pattennt also vpon former opposition hath beene generally approued by the whole Company of Fishmongers. And confirmed by the Lords of the Counsaile, with this testimony by them added, that it deserueth to be continued and countenanced by our State and Kingdome.

And whereas it hath beene objected that we would by vertue of this Patent, seaze vpon the Lobsters of any other of our Country-men that should bring them from other parts, Our desire is so much for the good of the Common-weale, to encourage our owne Nation, as we are ready and willing to giue free way (notwithstanding the Pattennt) to any of our Country-men that wil vndertake it and performe it accordingly, better then now it is. Onely we (for that purpose) will, as wee doe, by vertue of this Pattennt keepe off the Stranger from exacting vpon our Nation.

And now we most humbly submit it to your Honourable consideration, who speaks most for the good of the Common-weale, either the opposers, or the affirmers. And whether, this Pattennt not being mannaged, (as some others haue bin) to the preiudice of any but to defend vs from the exaction of the Stranger, and for the generall good of all: and these particulars being proued, your graue iudgements shall hold the same worthy your fauours, and to be continued and countenanced for the good of the Common-weale. For they desire not if it be not found good for the State and Kingdome, that it doe continue. Onely they humbly desire it would please this Honourable house to call before you, or some Committee for that purpose, the Master and Company of Fishmongers vsing this Trade, and (if these reasons seeme of any importance) to make tryall thereby of the truth of that which we haue affirmed.

So as the substance of the premises is this.

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| <ol style="list-style-type: none"> 1. The exaction of the Dutch is preuented. 2. The exaction of the Fishmongers also vpon their Company. 3. The Dutch-man is made our Seruant. 4. The commodity is solde better cheape. 5. It comes more certaine. 6. In more continued plenty. 7. Better conditioned. 8. The eater is more content. 9. The benefite is made from the Stranger not our Nation. 10. Our Bullion is preserved. 11. Our Nauigation encreased. | <ol style="list-style-type: none"> 12. None restrained that had benefite before. 13. The retayler hath more gaine. 14. Former partiality is auoyded. 15. The Patentees haue beene at more charge then profit. 16. The opposers are but few, the assent is generall. (on opposition.) 17. The whole Company of Fishmongers haue approued the Pattennt vp- 18. It hath bin confirmed by the Lords of the Counsaile. (parts. 19. Free liberty is giuen to any of our Nation to bring Lobsters fro other 20. It stands with the pollicie of this State, by this Pattennt, to preserve our Nation from the exaction of the Dutch, which otherwise cannot be done. |
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And all is humbly submitted to the pleasure of this house.

Of these in order.

The Prooves.

1. **T**He exaction of the Dutch preuented. For whereas before the Patent, by degrees they raised the Lobsters 35. shillings in a hundreth, we haue brought them back 20. shillings in abatement of the price; and by degrees would haue brought them lower: for they would not stand to the casualty of the Market when they came, but be sure of their money before they went, howsoeuer the market fell out here.

2. The exaction of the Fishmongers vpon their Company auoyded. For whereas they who bought the Ships ladings of the Dutch in grosse, did retayle them at 7. 8. and 9. pound the hundreth; they are now neuer solde aboute 6. pound: and if they bee small, they haue two or three hundred for one.

3. To make the Dutchman a Seruant. For now wee know the Inuention: if hee will not goe for reasonable gayne, wee can set others on worke, and none can draw him from vs by proffer of greater gayne.

4. The commodity better Cheape. For the Fishmongers buy them at 6. pound the hundreth, whereas before they haue beene solde for 9. pound: and this is caused also by the dayly comming of them, and the orderly vsage thereof, as the Fishmongers themselues will iustifie.

5. It comes more certaine. Because wee make the Dutch all become partners, though wee doe employ 20. Ships, for none may goe before or behinde another, but 19. of them shall helpe to lade and furnish away the 20. th: So as by that meanes wee haue euery day a Ship ready to come away, if the winde serue from that place. Whereas otherwise if euery man should lade himselfe, they would be a Fortnight or three weekes before they could bee provided of a freight to defray their charges. And so sometimes they would come altogether vpon a cluster, and be spoyled before they could be vented, and some whiles none in a Fortnight or in a Month together, whereas now they are heere euery day during the Season, the winde seruing.

6. The plenty is greater. For wee haue that dayly by this order, which before wee had but once in a Fortnight or in a Month: and then 4. Ships might happen to come together, and sometimes but one, which confusednes caused a scarcity afterwards.

7. Better conditioned. Which must needs follow, because they now in two or three dayes lade a Ship, all helping together being partners, and they are brought away more speedily, which must needs come better, then when euery one lading for himselfe, is two or three Weekes lading his Boate, by which meanes some are spoyled and dead whilst the rest are taking.

8. The eater is more content. Which followes by the former reasons; for the Goodnes, certainty, and cheapnes being approued, he is encouraged to eate them.

9. The benefit is raised from the Stranger not our Subiects. For wee haue brought him downe from his former exaction, to a lower price, from whence ariseth the profit that is made, and yet they are solde cheaper to the Fishmonger.

10. Our Coyne and Bullion is preferued in our Kingdome. For wee hyre one of their owne Nation heere to giue them Bills of exchange to receiue their money in their owne Countrey out of his estate there, and so they receiue nothing from vs but Paper.

11. Nauigation is increased. Because wee haue learn'd the secret of this Inuention, haue imployed our owne Countrymen, and still doe, in Ships bought by our selues, wherein wee haue lost two Ships at Sea among the rockes in the Aduenture: and doe offer our Nation for their encouragement 10. shillings more in a hundreth, then the Strangers hath for Lobsters, and by degrees as we can increase our owne Nation, doe intend to weed out the Dutchmen. But all cannot be done vpon the sodaine: for if wee barre the Dutchmen before we haue increased our owne Countrymen to serue the turne, then would these opposers complaine much more that the Market is not serued; and wee doe the rather a while forbear, because of the vncertainty of the Patent: for if we should build 20. Ships our selues (as wee imploy no lesse for this seruice) it would bee a great preiudice and losse to haue them lye vpon our hands. But wee will vndertake, if wee may haue the fauour of our State to our Patent, to weede out the Dutch quite within three or foure yeares, and to plant our owne Nation wholly in the Trade, as wee haue begun already, if it shall so seeme good to this Hon: Assembly.

Neither is there any hope to encrease our Nauigation in this kinde, but by vertue of this Pattent. For otherwise were the Dutch-man at liberty, as he was before: hee would first weary our Nation in vnder-selling them, and when the Trade were come into his owne hands, exact vpon them infinitely by degrees at his pleasure as he did before, which he will effect by these meanes. First, he is more industrious, and liues more hardly then our men. And next. He can haue money in his Country at 4. or 5. pound in the hundreth: so as if he make but ten pound in the hundreth, he is a great gayner. Whereas with vs money is at ten pound, and we shall be loosers (regarding our hazard of Ships and Goods) if wee make not 15. pound in the hundreth. And thus will he vndermine vs, and then make his owne price as afore-said.

12. None are restrayned that had any benefit before. These fewe opposers neuer had any Trading as afore-said. But for those Fishmongers who bought Lobsters of the Dutch-men, The Patentees were so ready to auoyde any cause of griuance, as they did graunt the one halfe of the benefit of the said Pattent to them, so as they rest well contented, though it abridge them of their former gayne, because of the good to the Common-weale, and that by experience they doe finde the confusion that was before: the good Order that is now, and what thraldome they should fall into hereafter, in respect of the enuie of some, if this Pattent were put downe, as also the Master and whole Company in generall will not denie.

13. The Retayler hath more gayne, because that which was wont to come monethly, comes now dayly, and because they are solde to him cheaper, and better as afore-said: so the eater being encouraged to buy, they sell the more, and neuer loose by them, being now good, which they often did when they were bad.

14. Former partiality is auoyded: for whereas before the Fishmonger who bought a Ship of Lobsters of the Dutch, If there were profit to be gotten thereby, would sell them to none but to his particular friends by hundreths, who traded with him for other Commodities, so as the poorer sort could sildome or neuer get any, but to their losse in a glut. Now they are made out by lesser parcels, equally, and so distributed to poore as well as rich: They haue them without money, and pay not till they haue made their profit, and sometimes neuer pay.

*The other points, are sufficiently explaned in the former discourse, and therefore to auoyde
prolixity omitted here.*

Onely this we are bold to adde, that the Patentees haue also in this Graunt a Priuiledge, for bringing Salmons fresh and vsalted by a new Inuention (wherein though they did not vndertake so much) yet haue they by their Inuention brought Salmons alieue from Scotland to England in the hottest and most vnseasonable times of the yeare: and for a sample and testimony thereof, presented one alieue to the Lord Mayor of London that then was: which neuer any English man or other did before. Yet seeing our Patent hath beene dayly opposed by some vaine-glorious, or enuious spirits of the Fishmongers, and threatned to be throwne downe; we haue forborne to put the same in further practise, least wee should with the Bee, gather honey for Drones to sucke, till wee see how this Kingdome will cherish our good endcauours for the Common-weale, as the Lords of the Counsell haue done already. For it stands with the pollicie of all States and Kingdomes, to support and countenance new Inuentions with most fauourable constructions, when they tend and are imployed to the good of the weale publike, and to the hurt of none. As this Pattent is mannaged.

An answer to diuers fained surmises and obiections made against this Patent.

1. *Obiect.* That it is not the Invention of the Patentees: but some Fishmongers maintayned two Boates along the coasts of England, and the Dutch brought them by the same Invention from the Holy Islands two or three yeares before the Patent.

Resp. That this is a new Invention, is plaine, for it was neuer knowne or practised by any Nation till two or three yeares before the Patent. It is not denied that the Dutch did bring this Invention first to light. But for two Boates pretended to be employed by Fishmongers vpon the English coast two or three yeares before the Patent: It is not affirmed by the Patent that the Patentees were the onely Inuentors, and if he that had such skill, had sued for a priuiledge, no doubt but he should haue been embraced, but he is dead and was a poore man (no Fishmonger) & learnt it of the Dutch. Sure we are, these few opposers neuer knew nor practised any such Invention before the Patent, and that the Patentees knew not at that time any such man, nor learned any such skill of him. But the Patentees are the first that euer brought this Invention to perfection, and letted the gouernment thereof for the good of this Kingdome. And for any English man who can folly pretend skill in this Invention, or will imploy himselfe; we will willingly giue way to him to Traffick to places formerly Traded to by the English, and will giue him more by a crowne, or an angell in the hand, than of Lobsters then the Stranger hath of vs for his encouragement. Though the opinion of Master Attorney Generall that last was, certified to the Lords of the Counsell is, That it is no Trade valesse it were of seauen yeares continuance before the patent.

2. *Obiect.* That two Fishmongers were imprisoned by the new Lord Chancellour for opposing the patentees, and driuen from their Trade.

Resp. These men were no Traders with the Dutch, or otherwise venturers for Lobsters before the patent: but setting themselves against the patent; they bought some Lobsters of the Dutch, who came stragling from their fellowes, with a polliticke purpose to breake the good order which was begun for the good of the Common-weale, and thereby to bring all to confusion againe. A complaint being thereof made to the Lord Chancellour; vpon due consideration of their bad intention, and examination of the matter, (they being refractory and refusing obedience to the patent) his Lordship committed them, and vpon their submission released them againe. And the most worthy of them was afterwards so farre respected by the Patentees, as he was accepted to be a partner with them to his good content. And that this was iust, and a fault in the opposers, appeares in this, for that vpon like complaint made to the Counsell Table, by the same men and others, their Lordships (notwithstanding) confirmed the patent against their opposition, seeing the same to be conuenient and good for the Common-weale.

3. *Obiect.* That the Dutchmen brought Lobsters in such plenty before the Patent, as they solde them for 3. pound and 40. shillings the hundred.

Resp. This is most false, for the Dutchmen would neuer goe but he would be sure of his price before he came hither, which was 5. pound 15. shillings the hundred: and if then when they were bad and naught, they were rarely solde at 3. pound, it was to the Fishmongers great losse, and discouragement to the eater for euer buying the commodity againe. But when they were good and scarcer, they were solde for 9. pound the hundred to the Fishmonger, but much more to the Subiect, which was a great exaction: and now they are neuer solde aboue 6. pound, which is the lowest price they were solde for at any time before, (vnlesse it were to great losse) and they haue two or 3. hundred for one if they bee small. So as one hundred at 6. pound, in such manner deliuered good and sweet, is better then a hundred that are starke naught at 5. pound, wherby the Subiect is but deceiued, and brought to a loathing of the commodity.

4. *Obiect.* There are many Lobsters now solde by the Fishmongers which are extreame bad and naught.

Resp. It is very true; but these are such dead Lobsters as are brought by Marriners from Newcastle, ready sodden, which seldome or neuer come good. But those that come by this Invention are deliuered sweet and Marchantable.

5. *Obiect.* The Lobsters are kept at Quinborough, to the great losse of the Flemming and spoyle of the commodity.

Resp. This is a most false suggestion. For there is no comparison of them that dye there and of those that dyed heare before the Patent: for if at any time they stay there, they are kept for preservation in their owne element the Sea, and so fed. Whereas being taken out before they are ready to be spent, they are out of their element, and kept in Ware-houses (which must needs be worse) foure or 5. dayes together, where they pine away, dye, and corrupt infinitely to the detestation of the commodity: But from Quinborough they are brought aliue, and if any doe pine there, they are cast away at the Strangers charge; the rather because there shall be no scandall vpon the commodity, nor offence thereby to the eye, stomach, or purse here. For we doe not suffer any that are bad to come hither. Nor is there any aduantage by vs made in this vpon the Subiect, for the price is neuer rayfed: so as the opposers haue rather cause to giue vs thanks for our care, then thus to requite vs with false aspersions, if either they remembred what hath beene heretofore, or vnderstood what would follow. But nothing will serue their turne but a dissolution, though themselves who are most forward to oppose (were the Patent dissolved) would soonest finde and feele the smart.